

TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 221, strike line 21 and all that follows through page 222, line 2, and insert the following:

enhance public safety; and

(4) the minimum retroreflectivity of traffic control devices and pavement markings.

SA 2630. Mr. CARDIN (for himself and Mr. TILLIS) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

In section 71103(a)(2) of title XI of division G, strike subparagraph (B) and insert the following:

(B) serves rural areas.

SA 2631. Mr. CARPER submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 401, line 8, strike “60 days” and insert “59 days”.

SA 2632. Mr. CARPER submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 1, line 1, strike “59” and insert “58”.

SA 2633. Mr. CARPER proposed an amendment to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; as follows:

On page 15, between lines 5 and 6, insert the following:

SEC. 4. EFFECTIVE DATE.

Except as otherwise provided, this Act and the amendments made by this Act take effect on the date that is 1 day after the date of enactment of this Act.

SA 2634. Mr. CARPER submitted an amendment intended to be proposed to

amendment SA 2633 proposed by Mr. CARPER to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 1, line 6, strike “1 day” and insert “2 days”.

SA 2635. Ms. CORTEZ MASTO (for herself, Mr. CORNYN, Ms. HASSAN, and Mr. SULLIVAN) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 2633, line 16, insert after “appropriations:” the following: “*Provided further*, That of the amounts made available under this heading in this Act for personnel, contracting, and other costs to administer and oversee grants, \$25,000,000, which shall be made available in equal amounts for each of fiscal years 2022 through 2026, shall be made available to carry out competitive grants, to be awarded by the Federal Aviation Administration, in coordination with the Department of Transportation Human Trafficking Prevention Coordinator, to address human trafficking awareness, education, and prevention efforts, including by coordinating human trafficking prevention efforts across multimodal transportation operations within a community and in line with the best practices and recommendations provided by the Department of Transportation Advisory Committee on Human Trafficking.”.

On page 2684, line 22, strike “\$5,250,000,000” and insert “\$5,225,000,000”.

On page 2684, line 24, strike “and”.

On page 2685, line 4, strike “Code:” and insert “Code; and”.

On page 2685, between lines 4 and 5, insert the following:

(4) \$25,000,000 shall be to carry out competitive grants, to be awarded by the Federal Transit Administration under section 5314 of title 49, United States Code, in coordination with the Department of Transportation Human Trafficking Prevention Coordinator, to address human trafficking awareness, education, and prevention efforts, including by coordinating human trafficking prevention efforts across multimodal transportation operations within a community and in line with the best practices and recommendations provided by the Department of Transportation Advisory Committee on Human Trafficking:

SA 2636. Mr. ROUNDS submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

In section 24220(a)(5), strike “ensure the prevention of” and insert “reduce”.

In section 24220(a)(5), strike “must be standard equipment in all new passenger motor vehicles” and insert “shall be examined in a report described in subsection (c)”.

In section 24220(c), in the subsection heading, strike “SAFETY STANDARD” and insert “REPORT”.

In section 24220(c), insert “report on the appropriateness of issuing a” after “shall issue a”.

In section 24220(d), strike “To allow sufficient time for manufacturer compliance, the compliance date of the rule issued under subsection (c)” and insert “If, in the report issued under subsection (c), the Secretary determines that it would be appropriate to issue a final rule as described in that subsection, to allow sufficient time for manufacturer compliance, the Secretary shall ensure that the compliance date of any rule that the Secretary may issue pursuant to that subsection”.

In section 24220(e), in the matter preceding paragraph (1), strike “If the Secretary determines that the Federal motor vehicle safety standard required under subsection (c)” and insert “If, in the report issued under subsection (c), the Secretary determines that a Federal motor vehicle safety standard described in that subsection”.

In section 24220(e), in the matter preceding paragraph (1), strike “by the applicable date” and insert “by the date of the report”.

In section 24220(e)(1), insert “for considering the appropriateness of issuing such a standard” after “the time period”.

In section 24220(e)(2), in the matter preceding subparagraph (A), strike “the rule under that subsection” and insert “a rule described in that subsection, if determined to be appropriate.”.

In section 24220(e)(2)(D), insert “, if determined to be appropriate” after “subsection (c)”.

In section 24220(e)(3), in the matter preceding subparagraph (A), strike “required by” and insert “described in”.

SA 2637. Ms. KLOBUCHAR submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 2438, strike lines 6 through 9 and insert the following:

(2) in subsection (n), by striking “January 1, 2022” and inserting “October 1, 2021 (or, in the case of wages paid by an eligible employer which is a recovery startup business or an organization which is described in section 501(c) and exempt from tax under section 501(a), January 1, 2022)”.

SA 2638. Mr. KING (for himself, Mr. SASSE, Mr. ROUNDS, and Ms. ROSEN) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VI of division G, add the following:

Subtitle C—National Cyber Resilience Assistance Fund

SEC. 70621. ESTABLISHMENT OF THE NATIONAL CYBER RESILIENCE ASSISTANCE FUND.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the United States now operates in a cyber landscape that requires a level of data security, resilience, and trustworthiness that neither the United States Government nor the private sector alone is currently equipped to provide;

(2) the United States must deny benefits to adversaries who have long exploited cyberspace to their advantage, to the disadvantage of the United States, and at little cost to themselves;

(3) this new approach requires securing critical networks in collaboration with the private sector to promote national resilience and increase the security of the cyber ecosystem;

(4) reducing the vulnerabilities adversaries can target denies them opportunities to attack the interests of the United States through cyberspace;

(5) the public and private sectors struggle to coordinate cyber defenses, leaving gaps that decrease national resilience and create systemic risk;

(6) new technology continues to emerge that further compounds these challenges;

(7) while the Homeland Security Grant Program and resourcing for national preparedness under the Federal Emergency Management Agency are well-established, the United States Government has no equivalent for cybersecurity preparation or prevention;

(8) the lack of a consistent, resourced fund for investing in resilience in key areas inhibits the United States Government from conveying its understanding of risk into strategy, planning, and action in furtherance of core objectives for the security and resilience of critical infrastructure;

(9) the Federal Government must fundamentally shift the way it invests in resilience and shift the focus away from reactive disaster spending towards research-supported and risk-driven proactive investment in critical infrastructure cyber resilience;

(10) Congress has worked diligently to establish the Cybersecurity and Infrastructure Security Agency, creating a new agency that can leverage broad authorities to receive and share information, provide technical assistance to operators, and partner with stakeholders across the executive branch, State and local communities, and the private sector;

(11) the Cybersecurity and Infrastructure Security Agency requires strengthening in its mission to ensure the national resilience of critical infrastructure, promote a more secure cyber ecosystem, and serve as the central coordinating element to support and integrate Federal, State, local, and private-sector cybersecurity efforts; and

(12) the Cybersecurity and Infrastructure Security Agency requires further resource investment and clear authorities to realize its full potential.

(b) AMENDMENTS.—Subtitle A of title XXII of the Homeland Security Act of 2002 (6 U.S.C. 651 et seq.) is amended—

(1) in section 2202(c) (6 U.S.C. 652(c))—

(A) in paragraph (11), by striking “and” at the end;

(B) in the first paragraph designated as paragraph (12), relating to the Cybersecurity State Coordinator—

(i) by striking “section 2215” and inserting “section 2217”; and

(ii) by striking “and” at the end; and

(C) by redesignating the second and third paragraphs designated as paragraph (12) as paragraphs (13) and (14), respectively;

(2) by redesignating section 2218, as added by section 70612 of this Act, as section 2220A;

(3) by redesignating section 2217 (6 U.S.C. 665f) as section 2220;

(4) by redesignating section 2216 (6 U.S.C. 665e) as section 2219;

(5) by redesignating the fourth section 2215 (relating to Sector Risk Management Agencies) (6 U.S.C. 665d) as section 2218;

(6) by redesignating the third section 2215 (relating to the Cybersecurity State Coordinator) (6 U.S.C. 665c) as section 2217;

(7) by redesignating the second section 2215 (relating to the Joint Cyber Planning Office) (6 U.S.C. 665b) as section 2216; and

(8) by adding at the end the following:

“SEC. 2220B. NATIONAL CYBER RESILIENCE ASSISTANCE FUND.

“(a) DEFINITIONS.—In this section:

“(1) CYBERSECURITY RISK.—The term ‘cybersecurity risk’ has the meaning given that term in section 2209.

“(2) ELIGIBLE ENTITY.—The term ‘eligible entity’ means an entity that meets the guidelines and requirements for eligible entities established by the Secretary under subsection (d)(4).

“(3) FUND.—The term ‘Fund’ means the National Cyber Resilience Assistance Fund established under subsection (c).

“(4) NATIONAL CRITICAL FUNCTIONS.—The term ‘national critical functions’ means the functions of government and the private sector so vital to the United States that their disruption, corruption, or dysfunction would have a debilitating effect on security, national economic security, national public health or safety, or any combination thereof.

“(b) CREATION OF A CRITICAL INFRASTRUCTURE RESILIENCE STRATEGY AND A NATIONAL RISK MANAGEMENT CYCLE.—

“(1) INITIAL RISK IDENTIFICATION AND ASSESSMENT.—

“(A) IN GENERAL.—The Secretary, acting through the Director, shall establish a process by which to identify, assess, and prioritize risks to critical infrastructure, considering both cyber and physical threats, vulnerabilities, and consequences.

“(B) CONSULTATION.—In establishing the process required under subparagraph (A), the Secretary shall coordinate with the heads of Sector Risk Management Agencies and consult with critical infrastructure owners and operators and the National Cyber Director.

“(C) PUBLICATION.—Not later than 180 days after the date of enactment of this section, the Secretary shall publish in the Federal Register procedures for the process established under subparagraph (A).

“(D) REPORT.—Not later than 1 year after the date of enactment of this section, the Secretary shall submit to the President, the Committee on Homeland Security and Governmental Affairs of the Senate, and the Committee on Homeland Security of the House of Representatives a report on the risks identified by the process established under subparagraph (A).

“(2) INITIAL NATIONAL CRITICAL INFRASTRUCTURE RESILIENCE STRATEGY.—

“(A) IN GENERAL.—Not later than 1 year after the date on which the Secretary delivers the report required under paragraph (1)(D), the President shall deliver to majority and minority leaders of the Senate, the Speaker and minority leader of the House of Representatives, the Committee on Homeland Security and Governmental Affairs of the Senate, and the Committee on Homeland Security of the House of Representatives a national critical infrastructure resilience strategy designed to address the risks identified by the Secretary.

“(B) ELEMENTS.—In the strategy delivered under subparagraph (A), the President shall—

“(i) identify, assess, and prioritize areas of risk to critical infrastructure that would compromise, disrupt, or impede the ability of the critical infrastructure to support the national critical functions of national security, economic security, or public health and safety;

“(ii) identify and outline current and proposed national-level actions, programs, and efforts to be taken to address the risks identified;

“(iii) identify the Federal departments or agencies responsible for leading each national-level action, program, or effort and the relevant critical infrastructure sectors for each;

“(iv) outline the budget plan required to provide sufficient resources to successfully execute the full range of activities proposed or described by the strategy; and

“(v) request any additional authorities or resources necessary to successfully execute the strategy.

“(C) FORM.—The strategy delivered under subparagraph (A) shall be unclassified, but may contain a classified annex.

“(3) CONGRESSIONAL BRIEFING.—Not later than 1 year after the date on which the President delivers the strategy under subparagraph (A), and every year thereafter, the Secretary, in coordination with the heads of Sector Risk Management Agencies, shall brief the appropriate congressional committees on the national risk management cycle activities undertaken pursuant to the strategy.

“(4) FIVE YEAR RISK MANAGEMENT CYCLE.—

“(A) RISK IDENTIFICATION AND ASSESSMENT.—Under procedures established by the Secretary, the Secretary shall repeat the conducting and reporting of the risk identification and assessment required under paragraph (1), in accordance with the requirements in paragraph (1), every 5 years.

“(B) STRATEGY.—Under procedures established by the President, the President shall repeat the preparation and delivery of the critical infrastructure resilience strategy required under paragraph (2), in accordance with the requirements in paragraph (2), every 5 years, which shall also include assessing the implementation of the previous national critical infrastructure resilience strategy.

“(C) ESTABLISHMENT OF THE NATIONAL CYBER RESILIENCE ASSISTANCE FUND.—There is established in the Treasury of the United States a fund, to be known as the ‘National Cyber Resilience Assistance Fund’, which shall be available for the cost of risk-based grant programs focused on systematically increasing the resilience of public and private critical infrastructure against cybersecurity risk, thereby increasing the overall resilience of the United States.

“(d) ADMINISTRATION OF GRANTS FROM THE NATIONAL CYBER RESILIENCE ASSISTANCE FUND.—

“(1) IN GENERAL.—In accordance with this section, the Secretary, acting through the Administrator of the Federal Emergency Management Agency and the Director, shall develop and administer processes to—

“(A) establish focused grant programs to address identified areas of cybersecurity risk to, and bolster the resilience of, critical infrastructure;

“(B) accept and evaluate applications for each such grant program;

“(C) award grants under each such grant program; and

“(D) disburse amounts from the Fund.

“(2) ESTABLISHMENT OF RISK-FOCUSED GRANT PROGRAMS.—

“(A) ESTABLISHMENT.—

“(i) IN GENERAL.—The Secretary, acting through the Director and the Administrator of the Federal Emergency Management Agency, may establish not less than 1 grant program focused on mitigating an identified category of cybersecurity risk identified under the national risk management cycle and critical infrastructure resilience strategy under subsection (b) in order to bolster the resilience of critical infrastructure within the United States.

“(ii) SELECTION OF FOCUS AREA.—Before selecting a focus area for a grant program pursuant to this subparagraph, the Director shall ensure—

“(I) there is a clearly-defined cybersecurity risk identified through the national risk management cycle and critical infrastructure resilience strategy under subsection (b) to be mitigated;

“(II) market forces do not provide sufficient private-sector incentives to mitigate the risk without Government investment; and

“(III) there is clear Federal need, role, and responsibility to mitigate the risk in order to bolster the resilience of critical infrastructure.

“(B) FUNDING.—

“(i) RECOMMENDATION.—Beginning in the first fiscal year following the establishment of the Fund and each fiscal year thereafter, the Director shall—

“(I) assess the funds available in the Fund for the fiscal year; and

“(II) recommend to the Secretary the total amount to be made available from the Fund under each grant program established under this subsection.

“(ii) ALLOCATION.—After considering the recommendations made by the Director under clause (i) for a fiscal year, the Director shall allocate amounts from the Fund to each active grant program established under this subsection for the fiscal year.

“(3) USE OF FUNDS.—

“(A) IN GENERAL.—Amounts in the Fund shall be used to proactively mitigate risks identified through the national risk management cycle and critical infrastructure resilience strategy under subsection (b) before cyber incidents occur, through activities such as—

“(i) proactive vulnerability assessments and mitigation;

“(ii) defrayal of costs to invest in backup systems critical to mitigating national or economic security risks, as determined by the Federal Government, with cost-sharing from the recipient entity in accordance with subparagraph (B);

“(iii) defrayal of costs to invest in replacing vulnerable systems and assets critical to mitigating national or economic security risks, as determined by the Federal Government, with more secure alternatives with cost-sharing from the recipient entity in accordance with subparagraph (B);

“(iv) grants to nonprofit entities to develop publicly available low-cost or no-cost cybersecurity tools for small-sized and medium-sized entities;

“(v) proactive threat detection and hunting; and

“(vi) network protections.

“(B) FEDERAL SHARE.—The Federal share of the cost of an activity described in clause (ii) or (iii) of subparagraph (A) carried out using funds made available under this section may not exceed—

“(i) for fiscal year 2022, 90 percent;

“(ii) for fiscal year 2023, 80 percent;

“(iii) for fiscal year 2024, 70 percent;

“(iv) for fiscal year 2025, 60 percent; and

“(v) for fiscal year 2026, and each fiscal year thereafter, 50 percent.

“(4) ELIGIBLE ENTITIES.—

“(A) GUIDELINES AND REQUIREMENTS.—

“(i) IN GENERAL.—In accordance with clause (ii), the Secretary shall submit to the Committee on Homeland Security and Governmental Affairs and the Committee on Appropriations of the Senate and the Committee on Homeland Security and the Committee on Appropriations of the House of Representatives a set of guidelines and requirements for determining the entities that are eligible entities.

“(ii) DEADLINES.—The Secretary shall submit the guidelines and requirements under clause (i)—

“(I) not later than 180 days after the date of enactment of this section, and every 2 years thereafter; and

“(II) not later than 90 days before the date on which the Secretary implements the guidelines and requirements.

“(B) CONSIDERATIONS.—In developing guidelines and requirements for eligible entities under subparagraph (A), the Secretary shall consider—

“(i) number of employees;

“(ii) annual revenue;

“(iii) existing entity cybersecurity spending;

“(iv) current cyber risk assessments, including credible threats, vulnerabilities, and consequences; and

“(v) entity capacity to invest in mitigating cybersecurity risk absent assistance from the Federal Government.

“(5) LIMITATION.—For any fiscal year, an eligible entity may not receive more than 1 grant from each grant program established under this subsection.

“(6) GRANT PROCESSES.—The Secretary, acting through the Administrator of the Federal Emergency Management Agency, shall require the submission of such information as the Secretary determines is necessary to—

“(A) evaluate a grant application against the criteria established under this section;

“(B) disburse grant funds;

“(C) provide oversight of disbursed grant funds; and

“(D) evaluate the effectiveness of the funded project in increasing the overall resilience of the United States with respect to cybersecurity risks.

“(7) GRANT CRITERIA.—For each grant program established under this subsection, the Director, in coordination with the Administrator of the Federal Emergency Management Agency and the heads of appropriate Sector Risk Management Agencies, shall develop and publish criteria for evaluating applications for funding, which shall include—

“(A) whether the application identifies a clearly-defined cybersecurity risk;

“(B) whether the cybersecurity risk identified in the grant application poses a substantial threat to critical infrastructure;

“(C) whether the application identifies a program or project clearly designed to mitigate a cybersecurity risk;

“(D) the potential consequences of leaving the identified cybersecurity risk unmitigated, including the potential impact to the critical functions and overall resilience of the nation; and

“(E) other appropriate factors identified by the Director.

“(8) EVALUATION OF GRANTS APPLICATIONS.—

“(A) IN GENERAL.—Utilizing the criteria established under paragraph (7), the Director, in coordination with the Administrator of the Federal Emergency Management Agency and the heads of appropriate Sector Risk Management Agencies, shall evaluate grant applications made under each grant program established under this subsection.

“(B) RECOMMENDATION.—Following the evaluations required under subparagraph (A), the Director shall recommend to the Sec-

retary applications for approval, including the amount of funding recommended for each such approval.

“(9) AWARD OF GRANT FUNDING.—The Secretary shall—

“(A) review the recommendations of the Director prepared pursuant to paragraph (8);

“(B) provide a final determination of grant awards to the Administrator of the Federal Emergency Management Agency to be disbursed and administered under the process established under paragraph (6); and

“(C) provide to the heads of Sector Risk Management Agencies notice of the eligible entities receiving grant awards and intended uses of funds under the grants.

“(e) EVALUATION OF GRANT PROGRAMS UTILIZING THE NATIONAL CYBER RESILIENCE ASSISTANCE FUND.—

“(1) EVALUATION.—The Secretary shall establish a process to evaluate the effectiveness and efficiency of grants distributed under this section and develop appropriate updates, as needed, to the grant programs.

“(2) ANNUAL REPORT.—Not later than 180 days after the conclusion of the first fiscal year in which grants are awarded under this section, and every fiscal year thereafter, the Secretary shall submit to the Committee on Homeland Security and Governmental Affairs and the Committee on Appropriations of the Senate and the Committee on Homeland Security and the Committee on Appropriations of the House of Representatives a report detailing the grants awarded from the Fund, the status of projects undertaken with the grant funds, any planned changes to the disbursement methodology of the Fund, measurements of success, and total outlays from the Fund.

“(3) GRANT PROGRAM REVIEW.—

“(A) ANNUAL ASSESSMENT.—Before the start of the second fiscal year in which grants are awarded under this section, and every fiscal year thereafter, the Director shall assess the grant programs established under this section and determine—

“(i) for the coming fiscal year—

“(I) whether new grant programs with additional focus areas should be created;

“(II) whether any existing grant program should be discontinued; and

“(III) whether the scope of any existing grant program should be modified; and

“(ii) the success of the grant programs in the prior fiscal year.

“(B) SUBMISSION TO CONGRESS.—Not later than 90 days before the start of the second fiscal year in which grants are awarded under this section, and every fiscal year thereafter, the Secretary shall submit to the Committee on Homeland Security and Governmental Affairs and the Committee on Appropriations of the Senate and the Committee on Homeland Security and the Committee on Appropriations of the House of Representatives the assessment conducted pursuant to subparagraph (A) and any planned alterations to the grant program for the coming fiscal year.

“(f) LIMITATION ON USE OF GRANT FUNDS.—Funds awarded pursuant to this section—

“(1) shall supplement and not supplant State or local funds or, as applicable, funds supplied by the Bureau of Indian Affairs; and

“(2) may not be used—

“(A) to provide any Federal cost-sharing contribution on behalf of a State or local government;

“(B) to pay a ransom;

“(C) by or for a non-United States entity; or

“(D) for any recreational or social purpose.

“(g) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section \$75,000,000 for each of fiscal years 2022 through 2026.

“(h) TRANSFERS AUTHORIZED.—During a fiscal year, the Secretary or the head of any component of the Department that administers the State and Local Cybersecurity Grant Program may transfer not more than 5 percent of the amounts appropriated pursuant to subsection (g) or other amounts appropriated to carry out the National Cyber Resilience Assistance Fund for that fiscal year to an account of the Department for salaries, expenses, and other administrative costs incurred for the management, administration, or evaluation of this section.

“(i) GOVERNMENT ACCOUNTABILITY OFFICE REPORT.—Not later than 1 year after the date of the enactment of this section, the Comptroller General of the United States shall submit to the Committee on Homeland Security and Governmental Affairs in the Senate and the Committee on Homeland Security in the House of Representatives a report containing the results of a study regarding the effectiveness of the programs described in this section.”.

(c) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) TABLE OF CONTENTS.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107–296; 116 Stat. 2135) is amended by striking the item relating to section 2214 and all that follows through the item relating to section 2218, as added by section 70612 of this Act, and inserting the following:

“Sec. 2214. National Asset Database.
 “Sec. 2215. Duties and authorities relating to .gov internet domain.
 “Sec. 2216. Joint Cyber Planning Office.
 “Sec. 2217. Cybersecurity State Coordinator.
 “Sec. 2218. Sector Risk Management Agencies.
 “Sec. 2219. Cybersecurity Advisory Committee.
 “Sec. 2220. Cybersecurity education and training programs.
 “Sec. 2220A. State and Local Cybersecurity Grant Program.
 “Sec. 2220B. National Cyber Resilience Assistance Fund.”.

(2) ADDITIONAL TECHNICAL AMENDMENT.—

(A) AMENDMENT.—Section 904(b)(1) of the DOTGOV Act of 2020 (title IX of division U of Public Law 116–260) is amended, in the matter preceding subparagraph (A), by striking “Homeland Security Act” and inserting “Homeland Security Act of 2002”.

(B) EFFECTIVE DATE.—The amendment made by subparagraph (A) shall take effect as if enacted as part of the DOTGOV Act of 2020 (title IX of division U of Public Law 116–260).

SA 2639. Ms. ERNST submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. . DISCLOSURE REQUIREMENTS FOR RECIPIENTS OF FUNDS FROM THE DEPARTMENT OF ENERGY.

An awardee or subawardee carrying out an award or subaward or project that is, in whole or in part, carried out using funds provided by the Department of Energy under any division of this Act (including an amendment made by any division of this Act) shall

clearly state, to the extent possible, in any statement, press release, request for proposals, bid solicitation, or other document describing the award or subaward or project, other than a communication containing not more than 280 characters—

(1) the percentage of the total costs of the award or subaward or project that will be financed with funds provided by the Department of Energy;

(2) the dollar amount of the funds provided by the Department of Energy made available for the award or subaward or project; and

(3) whether the activities funded by the award or subaward or project will be financed by nongovernmental sources.

SEC. . DISCLOSURE REQUIREMENTS FOR RECIPIENTS OF FUNDS FROM THE DEPARTMENT OF TRANSPORTATION.

(a) IN GENERAL.—A grantee or subgrantee carrying out a program, project, or activity that is, in whole or in part, carried out using funds provided by the Department of Transportation under any division of this Act shall clearly state, to the extent possible, in any statement, press release, request for proposals, bid solicitation, or other document describing the program, project, or activity, other than a communication containing not more than 280 characters—

(1) the percentage of the total costs of the program, project, or activity that will be financed with funds provided by the Department of Transportation under this Act;

(2) the dollar amount of the funds provided by the Department of Transportation under this Act made available for the program, project, or activity; and

(3) the percentage of the total costs of, and dollar amount for, the program, project, or activity that will be financed by non-Federal sources.

(b) APPLICATION.—This section shall not apply to awards of Federal funds less than \$50,000.

SA 2640. Ms. MURKOWSKI submitted an amendment intended to be proposed to amendment SA 2620 submitted by Ms. SINEMA and intended to be proposed to the amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 2, line 15, strike “placed”.

SA 2641. Ms. MURKOWSKI (for herself and Ms. CANTWELL) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 1592, strike lines 6 through 13 and insert the following:

“(2) is in service on or after the date of enactment of this section;

“(3) meets the requirements of subclauses (I) and (III) of section 242(b)(1)(B)(ii); and

“(4)(A) is in compliance with all applicable Federal, Tribal, and State requirements; or

“(B) would be constructed or brought into compliance with the requirements described in subparagraph (A) as a result of the capital improvements or investment carried out using an incentive payment under this section.

On page 1593, line 15, insert “subject to subsection (c),” before “environmental”.

On page 1594, between lines 8 and 9, insert the following:

“(c) CONDITION.—Incentive payments may only be made for environmental improvements under subsection (b)(3) on the condition that the improvements, including any related physical or operational changes, have been authorized under applicable Federal, State, and Tribal permitting or licensing processes that include appropriate mitigation conditions arising from consultation and environmental review under the processes.

On page 1594, line 9, strike “(c)” and insert “(d)”.

On page 1594, line 18, strike “(d)” and insert “(e)”.

SA 2642. Mr. INHOFE (for himself and Mr. LANKFORD) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 2095, strike lines 18 through 20.

SA 2643. Mr. INHOFE (for himself and Mr. LANKFORD) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 2149, lines 11 and 12, strike “gender identity, sexual orientation.”.

SA 2644. Mr. WARNER (for himself and Ms. SINEMA) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 2437, strike lines 5 through 18 and insert the following:

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to returns required to be filed, and statements required to be furnished, after December 31, 2023.

(d) RULES OF CONSTRUCTION.—